

## **REMARKS**

### **I. INTRODUCTION**

Claims 1, 8, and 9 have been amended. Claim 10 has been added. Support for the amendments and new claim can be found at least at ¶¶ [0037] – [0039] of the published application. Thus, claims 1-10 remain pending in the present application. No new matter has been added. Applicants would like to thank the Examiner for indicating that claims 2-6 contain allowable subject matter. However, in light of the above amendments and the following remarks, Applicants respectfully submit that all presently pending claims are in condition for allowance.

### **II. THE 35 U.S.C. § 112 REJECTION SHOULD BE WITHDRAWN**

Claim 9 stands rejected under 35 U.S.C. §112, second paragraph for being indefinite. The applicants have amended claim 9 in accordance with the Examiner's suggestion to a "computer readable device." In light of this amendment, the withdrawal of this rejection is respectfully requested.

### **III. THE 35 U.S.C. § 102(b) REJECTION SHOULD BE WITHDRAWN**

Claims 1 and 7-9 stand rejected under 35 U.S.C. §102(b) for being anticipated by Moshfeghi (U.S. Patent 5,633,951).

Claim 1 has been amended to recite, "[a] method of registering a first image and a second image, the method comprising the steps of selecting, by an image processing device, at least one first landmark in the first image; selecting, by an image processing device, at least one second landmark in the second image, wherein the at least one first landmark corresponds to the at least one second landmark; and registering, by an image processing device, the first and second images by using a similarity value which relates to a similarity of a first region in the first image determined by the at least one first landmark and a second region in the second image determined by the at least one second landmark, *the registering including selecting at least one further first landmark in the*

*first image and at least one further second landmark in the second image as a function of a pre-selected value of the similarity value.”*

Moshfeghi describes a method of registration which includes creating a stack of contours for each image, wherein each contour includes a plurality of points. (*See*, Moshfeghi, col. 7, lines 15-21; Fig. 3). The points of the different stacked contours are then connected to form polygonal patch surfaces. (*See Id.*, col. 7, lines 21-27; Fig. 4). Surface matching is then performed by determining “a force field to distort one surface shape to the other.” (*See Id.*, col. 7, lines 50-55). The steps of the surface matching include (a) coarsely registering the two surfaces; (b) determining displacement vectors; (c) calculating a force field from the displacement vectors; (d) deforming the surfaces; and (e) determining a global translations vector and a set of surface distortion vectors. . (*See Id.*, col. 7, line 60 – col. 8, line 5). Each of these steps are described in greater detail in Moshfeghi. . (*See Id.*, col. 8, line 10 – col. 10, line 46). Specifically, Moshfeghi requires the use of force fields and the deformation of one surface to another. The force field is determined using the calculated displacement vectors. (*See Id.*, col. 9, lines 25-56). Then, one of the surfaces is iteratively deformed to match the other surface. (*See Id.*, col. 9, line 57 – col. 10, line 30).

However, none of these steps of Moshfeghi disclose “selecting at least one further first landmark in the first image and at least one further second landmark in the second image as a function of a pre-selected value of the similarity value” as recited in amended claim 1. Accordingly, the 35 U.S.C. §102(b) rejection of claim 1 and its dependent claim 7 should be withdrawn.

Independent claims 8 and 9 have been amended to recite a similar limitation as described above for claim 1. Accordingly, the 35 U.S.C. §102(b) rejection of these claims should be withdrawn.

**CONCLUSION**

In light of the foregoing, Applicants respectfully submit that all of the presently pending claims are in condition for allowance. All issues raised by the Examiner having been addressed. An early and favorable action on the merits is earnestly solicited.

Respectfully submitted,

Dated: May 20, 2010

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